

LAW OFFICES
SHERMAN & HOWARD L.L.C.
2555 EAST CAMELBACK ROAD, SUITE 1050,
PHOENIX, ARIZONA 85016-4258
TELEPHONE: 602.240.3000
FACSIMILE: 602.240.6600
(AZ BAR FIRM NO. 00441000)

Craig A. Morgan (AZ Bar No. 023373)
(CMorgan@ShermanHoward.com)
Shayna Stuart (AZ Bar No. 034819)
(SStuart@ShermanHoward.com)

Attorneys for Arizona Secretary of State Adrian Fontes

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Mi Familia Vota, et al.,
Plaintiffs,

v.

Adrian Fontes, et al.,
Defendants.

Case No. 2:22-cv-00509-SRB
(Lead)

ARIZONA SECRETARY OF STATE
ADRIAN FONTES' TRIAL
MEMORANDUM

(Before the Hon. Susan R. Bolton)

AND CONSOLIDATED CASES.

No. CV-22-00519-PHX-SRB
No. CV-22-01003-PHX-SRB
No. CV-22-01124-PHX-SRB
No. CV-22-01369-PHX-SRB
No. CV-22-01381-PHX-SRB
No. CV-22-01602-PHX-SRB
No. CV-22-01901-PHX-SRB

The Arizona Secretary of State, Adrian Fontes ("Secretary Fontes"), hereby submits his trial memorandum as ordered by the Court (Doc. 485). Consistent with Secretary Fontes' position throughout the entirety of this case, although named as a Defendant, he has not taken a substantive position as to the claims and defenses at issue in this litigation and his participation in this litigation has been as a nominal party. He has, however, participated in costly and extensive discovery to the extent necessary to help this case reach a full adjudication before the next scheduled primary election.

1 Secretary Fontes intends to maintain his nominal position at trial, unless his more
2 substantive involvement becomes required by the Court or necessary by the issues,
3 arguments, or evidence raised by the other parties during trial. Moreover, his counsel will
4 attend trial unless this Court gives them leave to be absent.

5
6 RESPECTFULLY SUBMITTED: October 19, 2023.

7 SHERMAN & HOWARD L.L.C.

8
9 By /s/ Craig A. Morgan
10 Craig A. Morgan
11 Shayna Stuart
12 *Attorneys for Defendant Arizona*
13 *Secretary of State Adrian Fontes*
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on October 19, 2023, I caused a true and correct copy of the foregoing document, to be filed with Clerk of the Court of the United States District Court for the District of Arizona using the CM/ECF filing system. Counsel for all parties who have appeared will be served by the CM/ECF system pursuant to the notice of electronic filing.

/s/ Ella Meshke